

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, DECEMBER 18, 2015

Steven G. Tate, Trustee

9:30 a.m. - *Updated as of: 12/16/15 at 12:00 pm*

- | | | | | |
|----|---|---|----------|--|
| 1) | 7 | The Challenge Golf Group
of the Carolinas, LLC | 12-40724 | 2nd continued hearing on Debtor's
Motion to Compel Turnover (57,
Exhibit 58) |
|----|---|---|----------|--|

KIGHT
COOPER, TR.

- | | | | | |
|----|----|---------------------|----------|---|
| 2) | 13 | Miguel J. Hernandez | 13-40277 | Hearing on Trustee's Motion to
Dismiss Case or to Modify Plan (39) |
|----|----|---------------------|----------|---|

MOORE

SETTLED

- | | | | | |
|----|----|-------------------|----------|--|
| 3) | 13 | Leland H. Gorecki | 14-40537 | Hearing on Debtor's Motion to Sell
Real Estate (23) |
|----|----|-------------------|----------|--|

POE

- | | | | | |
|----|----|-------------------------------------|----------|---|
| 4) | 13 | Douglas S. Miller
Myra S. Miller | 15-40251 | Hearing on Trustee's Objection to
Claim #7 (35); Response filed by
Chris Miller (36, 37 and 47) |
|----|----|-------------------------------------|----------|---|

CARTER

5) 13 James A. Roberts, Jr. 15-40266 3rd continued hearing on Debtor's Motion to Enlarge Time for Payment of Plan Payment (13)

2nd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (16); Amended Plan (15); Plan (9)

Hearing on Debtor's Motion to Surrender and Modify Bankruptcy Plan (20); Trustee's Response (21)

TAYLOR

6) 7 Henry M. Hull 15-40323 Hearing on Debtors' Motion to Extend Time for Entry of Discharge (7)

VUJOVIC
COOPER, TR.

MOTION W/D 12/15/15

7) 13 Georgia A. Wilson 15-40399 Hearing on Amended Objection of Paul G. Carpenter to Confirmation (11); Plan (2)

DOVE
DEATON

8) 13 Joy S. Patterson 11-40574 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)

WILLCOX

9) 13 David A. Keller 15-40149 Hearing on Motion of Self-Help Credit Union for Relief from Stay (28); Debtor's Response (29)

WILLCOX
PINKSTON

- | | | | | |
|-----|----|---|----------|--|
| 10) | 13 | Tony M. Moore
Phyllis W. Moore | 10-41040 | 5th continued hearing on Trustee's Motion to Convert Case (41) |
| | | WOOD | | |
| | | ----- | | |
| 11) | 13 | Maggie B. Maddox | 14-40389 | 2nd continued status hearing. Re: Order Granting Motion to Incur Debt (23) |
| | | | | 4th continued hearing as to the status of permanent modification; Consent Order Resolving Objection to Confirmation (17) |
| | | WOOD | | |
| | | PHELAN | | |
| | | ----- | | |
| 12) | 13 | Amy L. Umsted | 15-40199 | Hearing on Debtor's Motion for Approval to Proceed in Domestic State Court Action (22); Trustee's Response (23) |
| | | WOOD | | |
| | | ----- | | |
| 13) | 7 | Rebecca A. Blair | 13-40587 | 6th continued hearing on Motion of The Bank of New York Mellon for Relief from Stay (39); Debtor's Response (40) |
| | | HAY | | |
| | | COOPER, TR. | | |
| | | JONAS | | |
| | | ----- | | |
| 14) | 13 | Stephen C. Proctor
Jennifer L. Proctor | 13-40660 | Hearing on Debtors' Motion for Approval of Loan Modification and Modification of Plan (32); Trustee's Response (33) |
| | | HAY | | |
| | | ----- | | |

CONT TO 1/29/16

- | | | | | |
|-----|----|---|----------|--|
| 15) | 7 | Randy J. Silverstine

HAY
COOPER, TR.

----- | 15-40280 | Continued hearing on Trustee's
Objection to Exemptions (8)

<i>CONT TO 1/29/16</i> |
| 16) | 13 | Michael D. Greene
Angela S. Greene

PLANER
HOFF

----- | 14-40149 | 2nd continued hearing on Trustee's
Objection to Claim (23); Response of
BB&T (25) |
| 17) | 13 | Betsy S. Badeaux

PLANER

----- | 15-40055 | Continued hearing on Trustee's
Motion to Dismiss Case or Convert
Case or to Modify Plan (22) |
| 18) | 13 | Elbert D. Martin
Bonnie L. Martin

PLANER
SULLIVAN

----- | 15-40194 | 3rd continued hearing on Trustee's
Objection to Confirmation of
Plan; Motion to Dismiss (15); Plan (9)

2nd continued hearing on Debtor's
Objection to Claim of Internal
Revenue Service (24); Response of
USA/IRS (26) |
| 19) | 13 | Samuel L. Green

PLANER

----- | 15-40250 | Hearing on Debtor's Motion to
Modify Plan (19); Trustee's Response
(20) |

- 20) 13 Charles D. Kester 10-41073 Hearing on Trustee's Motion to
Kay Frances C. Kester Dismiss Case or to Modify Plan (45)

FARMER, FARMER

- 21) 13 Alfred D. Shires 11-40389 Continued hearing on Motion of
Christy G. Shires Bayview Loan Servicing to Incur
Debt and for Approval of Loan
Modification (68); Trustee's Response
(71)

FARMER
JONAS

- 22) 13 Ronald L. Cornelius 12-40478 4th continued hearing on Trustee's
Patricia C. Cornelius Motion to Dismiss or Modify Plan (27)
CON'T TO 1/29/16

3rd continued hearing on Debtors'
Motion for Hardship Discharge (30)
CON'T TO 1/29/16

2nd continued hearing on Female
Debtor's Motion to Amend
Exemption Elections (34); Trustee's
Response (36) - *RESOLVED BY
CONSENT ORDER*

FARMER

- 23) 13 Charles R. Lalone 12-40759 Continued hearing on Debtors'
Kelly A. Lalone Motion to Amend Exemption
Elections (56); Trustee's Response (57)
RESOLVED. ORDER ENTERED

FARMER

- 24) 13 Timothy W. Gosnell 14-40368 Hearing on Trustee's Motion to Modify Plan (107); Debtor's Response (110)
- FARMER
-
- 25) 13 Sherry L. Hinson 15-40192 Hearing on Motion of Fifth Third Bank for Relief from Stay and Co-Debtor Stay (14); Debtor's Response (16) **RESOLVED BY CONSENT ORDER**
- FARMER
FLETCHER
-
- 26) 13 Milton D. Martin, Jr.
Demetria M. Martin 14-40046 Hearing on Motion of AJX Mortgage Trust 1, a Delaware Trust, Wilmington Savings Fund Society, FSB, Trustee for Reconsideration of Order Approving Insurance Settlement Dated November 5, 2015 (49); Order Granting Motion to Approve Settlement Insurance (47); Debtors' Response (54)
- BALENTINE
JONAS
-
- 27) 13 Rodney B. England
Cynthia G. England 14-40322 Hearing on Trustee's Motion to Modify Plan (35); Debtors' Response (37)
- BALENTINE
-
- 28) 11 Rutherford County Life 14-40434 Court Ordered Status Hearing (128);
Saving & First Aid Crew, Inc. Order in Aid of Consummation (107)
- BALENTINE
-

- 29) 13 Kevin E. Ford 15-40071 Hearing on Trustee's Motion to
Kimberly L. Ford Dismiss Case or to Modify Plan (20)

BALENTINE

- 30) 13 Robert S. Ross 15-40216 2nd continued hearing on Debtors'
Wendy S. Ross Motion to Allow Moratorium /
Modifications as to Plan Payments
(28); Objection by Members Credit
Union (33)

BALENTINE
KEENAN

- 31) 13 Trisa G. Carpenter 15-40350 Hearing on Debtor's Objection to
Claim Number 4 (14)

BALENTINE

- 32) 13 Larry R. Pyatt 15-40444 Hearing on Motion to Excuse Male
Dalona Pyatt Debtor From Attendance of 341
Meeting of Creditors (18);
Amendment (19); Trustee's Response
(22)

Hearing on Debtors' Objection to
Proof of Claim Filed by the Internal
Revenue Service (20); Trustee's
Response (21)

BALENTINE

- 33) 13 Wayne E. Meeks 10-40774 Continued hearing on Debtors' Motion for Moratorium (64); Trustee's Response (66)
- Brenda R. Meeks
- Hearing on Debtors' Motion to Apply Insurance Proceeds to Chapter 13 Plan (68)
- LUTZ
-
- 34) 13 Barbara L. Ringler 12-40326 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (31)
- LUTZ
-
- 35) 13 Leah P. Berry 14-40159 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
- LUTZ
-
- 36) 13 Haywood Homsley, Jr. 14-40558 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (35)
- LUTZ
-
- 37) 13 Shahiddah H. Bilal 15-40079 2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (13)
- Continued hearing on Amended Motion of Ditech Financial LLC for Relief from Automatic Stay, Co-Debtor Stay, Turnover Order, and in the Alternative, for Adequate Protection (17, 15); Debtor's Response (18)
- LUTZ
-

- 38) 13 Eric J. Bridges 15-40356 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14); Plan (2)
- LUTZ
-
- 39) 13 LaDonna A. Whitworth 15-40391 Hearing on Debtor's Motion for Continuation of the Automatic Stay (9)
- LUTZ
-
- 40) 13 Stacey D. McLain 15-40417 Hearing on Debtor's Motion for Continuation of Automatic Stay (8)
- LUTZ
-
- 41) 12 Andrew M. Boggs 11-40473 Hearing on Debtors' Motion to Modify Plan (183)
- Virginia A. Boggs
- W. S. GARDNER
-
- 42) 13 Rodvie P. Reynolds, IV 10-40122 Continued for Compliance Hearing as to Debtor's Motion to Release Title and for Sanctions for Violations of the Discharge Injunction (63); Order Granting Motion (70)
- Jacquelyn A. Reynolds
- W. S. GARDNER
-
- 43) 13 Harvey R. Beaver 12-40327 2nd continued hearing on Debtors' Motion for Contempt of Orders and Violations of the Discharge Injunction Against Residential Credit Solutions (74); Amended Response of Residential Credit Solutions, Inc. (83, 76)
- Donna O. Beaver
- W. S. GARDNER
WADSWORTH
-
- AGREED SETTLEMENT*

- 44) 13 Abigail S. McCool 13-40043 Hearing on Debtor's Motion to Approve Sale of Real Estate and Payoff Chapter 13 Plan (47); Trustee's Response (48)
- W.S. GARDNER
-
- 45) 13 Anthony J. Dawkins 13-40192 Hearing on Trustee's Motion to Modify Plan (37); Debtor's Objection (38)
- W. S. GARDNER
-
- 46) 13 Sharon T. Crank 13-40568 Hearing on Debtor's Motion to Approve Settlement (37); Trustee's Response (38)
- Hearing on Debtor's Motion to Amend Schedule C (39); Trustee's Response (40)
- W. S. GARDNER
-
- 47) 13 Floyd C. Oliver 14-40055 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (39)
- Patricia C. Oliver
- Hearing on Motion of U.S. Bank, NA for Relief from Stay (42); Debtors' Objection (43)
- W. S. GARDNER
WADSWORTH
-
- 48) 13 Stephanie M. Phillips 15-40027 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (18)
- W. S. GARDNER
-

- 49) 11 Restoration Properties of 15-40163 2nd continued Confirmation Hearing
Shelby, LLC (38); Plan (29); BA's Objection to
Combination Chapter 11 Bankruptcy
Plan and Disclosure Statement (41,
42); Objection of BB&T to the
Combination Chapter 11 Bankruptcy
Plan and Disclosure Statement (43, 44)

W. S. GARDNER

- 50) 11 Alive Apparel, Inc. 15-40189 Hearing on Disclosure Statement (81,
82); BA's Objection (90)

Hearing on Motion for Appointment
of Independent Trustee (88) -

***MOTION TO SHORTEN NOTICE
DENIED; HRG TERMINATED.***

W. S. GARDNER

- 51) 13 Robert B. Devoe 15-40242 2nd continued hearing on Trustee's
Objection to Confirmation of Plan;
Motion to Dismiss (14); Plan (4)

2nd continued hearing on Debtor's
Proof of Claim Filed by TD Bank, NA
(15)

2nd continued hearing on Debtor's
Objection to Proof of Claim Filed by
Cleveland County Tax Collector (16);
Trustee's Response (21)

W. S. GARDNER

- 52) 13 Clarence Quarles, Jr. 15-40268 Hearing on Debtor's Objection to
Proof of Claim Filed by Metropolitan
Life Insurance Company (19)

W. S. GARDNER

53) 13 James E. Jackson 15-40368 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9); Plan (4)

W. S. GARDNER

54) 11 Glenda K. Hooper 15-40443 Continued hearing on Debtor's Motion to Allow for Secured Debt Payments to Hometrust Bank (12); Response of Hometrust Bank (21); Response of the Bankruptcy Administrator (29)

Continued hearing on the Bankruptcy Administrator's Motion to Appoint Chapter 11 Trustee (25); Order Granting Appointing Chapter 11 Trustee for Limited Purposes (35)

Hearing on Application of Debtor/Debtor-in-Possession for Order Approving Employment of Accountant (22); BA's Objection (31)

W. S. GARDNER
PINKSTON
SIMPSON

55) 7 James W. Staz 14-40458 4th continued hearing on Trustee's Objection to Exemptions (70)

4th continued hearing on Objection of Wayne Sigmon to Debtor's Claimed Homestead Exemption and Joinder to Chapter 7 Trustee's Objection to Exemptions (72)

PRO SE
COOPER, TR.
WALDREP

10:30 a.m.

56) 13 Barbara H. Goins 15-50555 Continued hearing on Motion of
CommunityOne Bank for Relief from
Stay (18); Debtor's Response (23)

Continued hearing on Objection of
CommunityOne Bank to
Confirmation of Debtor's Chapter 13
Plan (19); Amended Plan (17, 15, 10)

WOOD
EDWARDS

1:00 p.m.

57) 7 Thomas H. McCombs 13-40174 10th continued hearing for status (55,
51)

3rd continued hearing on Trustee's
Objection to Exemption Election,
Motion for Order Setting Deadline for
Amendment to Exemptions, and
Motion for Determination of
Available Exemptions (65)

WILLCOX
SIGMON & HENDERSON, TR.

CONT TO 2/26/16

58) Adv Wayne Sigmon 15-4002 Trial (11)
v. Ch. 7
Thomas H. McCombs, 13-40174 *CONT TO 2/26/16*
et al.

SIGMON
WILLCOX
